

**Candyman Trust**  
Monitoring Programme  
Annual Report  
2021-2022

Technical Report 2022-29



Working with people | caring for Taranaki



Taranaki Regional Council  
Private Bag 713  
Stratford

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August 2022

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## Executive summary

The Candyman Trust (the Trust) operates a cleanfill being undertaken for the purpose of reclaiming part of an existing man-made pond located on Manutahi Road South of Bell Block, in the Waiongana catchment. The man-made pond was created by previous quarrying activities on the site.

This report for the period July 2021 to June 2022 describes the monitoring programme implemented by the Taranaki Regional Council (the Council) to assess the Trust's environmental and consent compliance performance during the period under review. The report also details the results of the monitoring undertaken and assesses the environmental effects of the Company's activities.

**During the monitoring period, the Trust demonstrated a high level of environmental performance and high level of administrative performance.**

The Trust holds one resource consent that includes a total of nine conditions setting out the requirements that the Trust must satisfy. The Trust holds a consent to allow it to reclaim part of a man-made pond by the discharge of cleanfill at this site.

The Council's monitoring programme for the year under review included 3 inspections.

The monitoring showed that the site was well managed and the conditions of the consent were being complied with at the time the inspections were undertaken. There were no unauthorised incidents recording non-compliance in respect of this consent holder during the period under review.

For reference, in the 2021-2022 year, consent holders were found to achieve a high level of environmental performance and compliance for 88% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 10% of the consents, a good level of environmental performance and compliance was achieved.

This report includes recommendations for the 2022-2023 year, including a recommendation relating to an optional review of consent 10695-1.1.





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# 1 Introduction

## 1.1 Compliance monitoring programme reports and the Resource Management Act 1991

### 1.1.1 Introduction

This report is for the period July 2021 to June 2022 by the Council describing the monitoring programme associated with the resource consent held by the Trust. The Trust operates a cleanfill being undertaken for the purpose of reclaiming part of an existing man-made pond located on Manutahi Road South of Bell Block, in the Waiongana catchment. The man-made pond was created by previous quarrying activities on the site.

This report covers the results and findings of the monitoring programme implemented by the Council in respect of the consent held by the Trust that relates to reclamation by a discharge to land in the Waiongana catchment. This is the 2<sup>nd</sup> annual report to be prepared by the Council to cover the Trust's activities and their effects.

### 1.1.2 Structure of this report

**Section 1** of this report is a background section. It sets out general information about:

- consent compliance monitoring under the *Resource Management Act 1991* (RMA) and the Council's obligations;
- the Council's approach to monitoring sites through annual programmes;
- the resource consents held by the Trust;
- the nature of the monitoring programme in place for the period under review; and
- a description of the activities and operations conducted at the Trust's site.

**Section 2** presents the results of monitoring during the period under review, including scientific and technical data.

**Section 3** discusses the results, their interpretations, and their significance for the environment.

**Section 4** presents recommendations to be implemented in the 2022-2023 monitoring year.

A glossary of common abbreviations and scientific terms, and a bibliography, are presented at the end of the report.

### 1.1.3 The Resource Management Act 1991 and monitoring

The RMA primarily addresses environmental 'effects' which are defined as positive or adverse, temporary or permanent, past, present or future, or cumulative. Effects may arise in relation to:

- a. the neighbourhood or the wider community around an activity, and may include cultural and social-economic effects;
- b. physical effects on the locality, including landscape, amenity and visual effects;
- c. ecosystems, including effects on plants, animals, or habitats, whether aquatic or terrestrial;
- d. natural and physical resources having special significance (for example recreational, cultural, or aesthetic); and
- e. risks to the neighbourhood or environment.

In drafting and reviewing conditions on discharge permits, and in implementing monitoring programmes, the Council is recognising the comprehensive meaning of 'effects' in as much as is appropriate for each activity. Monitoring programmes are not only based on existing permit conditions, but also on the obligations of the RMA to assess the effects of the exercise of consents. In accordance with Section 35 of the RMA, the Council undertakes compliance monitoring for consents and rules in regional plans, and maintains an overview of the performance of resource users and consent holders. Compliance monitoring, including both activity and impact monitoring, enables the Council to continually re-evaluate its approach and that of consent holders to resource management and, ultimately, through the refinement of methods and considered responsible resource utilisation, to move closer to achieving sustainable development of the region's resources.

### 1.1.4 Evaluation of environmental performance

Besides discussing the various details of the performance and extent of compliance by the consent holders, this report also assigns a rating as to each Company's environmental and administrative performance during the period under review. The rating categories are high, good, improvement required and poor for both environmental and administrative performance. The interpretations for these ratings are found in Appendix II.

For reference, in the 2021-2022 year, consent holders were found to achieve a high level of environmental performance and compliance for 88% of the consents monitored through the Taranaki tailored monitoring programmes, while for another 10% of the consents, a good level of environmental performance and compliance was achieved.<sup>1</sup>

## 1.2 Process description

The Trust holds a consent to reclaim part of an existing man-made pond. Approximately 10 m<sup>2</sup> of the pond had already been filled in, with the total proposed fill area being 5,160 m<sup>2</sup>. This is approximately half of the pond.

The need for the activity to be consented was identified during the investigation of a complaint. The complaint was made in September 2018 regarding the filling of a man-made pond on private property on Manutahi Road, Bell Block. Investigation found that fill material (soil and rock) was being received on site and used to reclaim an area of a pond on the property and that this was in breach of Rule 43 and 76 of the Regional Fresh Water Plan for Taranaki (RFPW). Abatement notices were issued requiring the activity to cease and for works to be undertaken to ensure compliance with these Rules. A resource consent was subsequently applied for and granted and no further reclamation activity was undertaken at the site until January 2021.

All material used to fill the pond is sourced from local site developments for example, clean soil from the excavation and installation of new swimming pools. The estimated volume of fill required to reclaim half the pond is approximately 18,000 m<sup>3</sup>, with the estimated depth of the pond between 1 and 2 metres.

Access to the site is by permission only. The Trust's representative lives onsite and conducts daily site inspections during periods of activity. The pond is fenced, and the Trust plans to undertake planting around the remainder of the pond. The pond dries up in summer and this is when the consent provides for the reclamation to be undertaken. The only source of water to the pond is through a pipe from the adjoining property and the provisions of the consent do not include the diversion of water as a result of blocking the

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<sup>1</sup> The Council has used these compliance grading criteria for more than 18 years. They align closely with the 4 compliance grades in the MfE Best Practice Guidelines for Compliance, Monitoring and Enforcement, 2018

existing pipe that enters the pond. The location of the site is shown in Figure 1 and the area of reclamation of the pond provided for in the consent is shown in Figure 2.

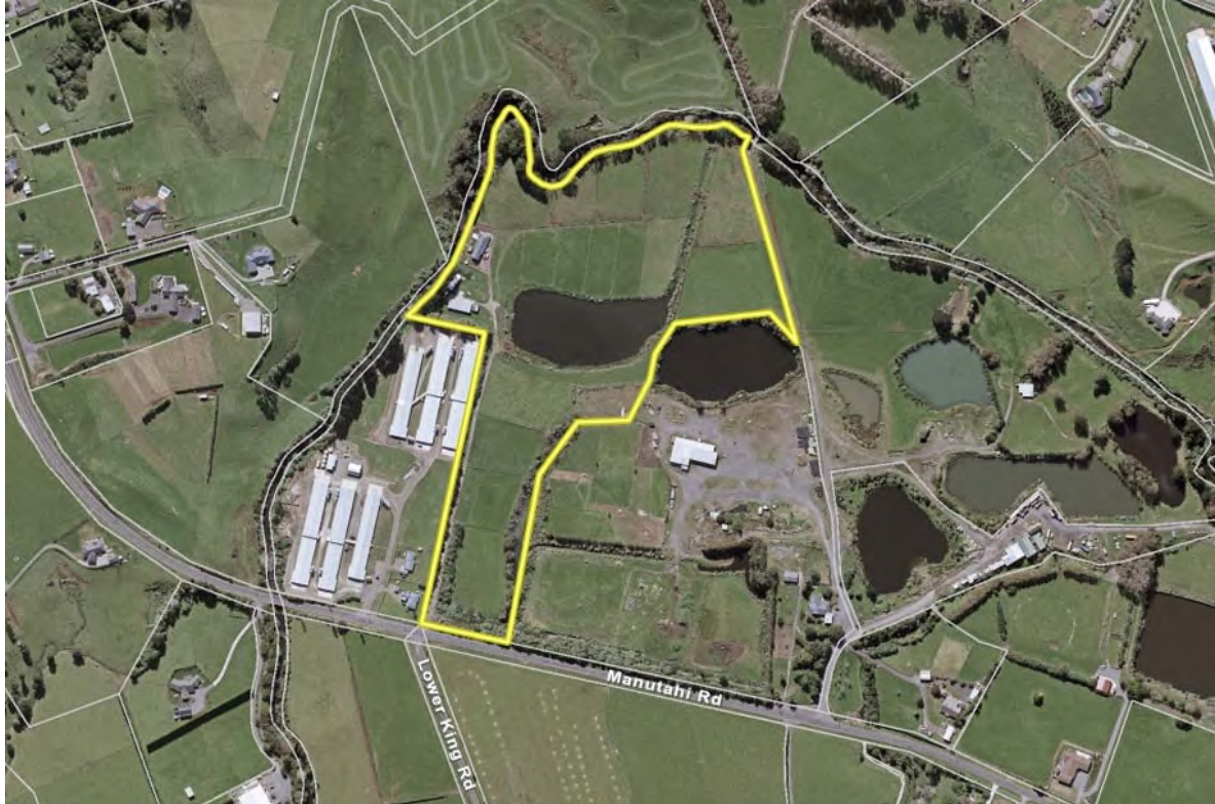


Figure 1 Location of Candyman Trust site



Figure 2 Extent of reclamation provided for by the Trust's consent

The cleanfill material provided for in the consent consists of the following inert and uncontaminated materials:

- sand, soil and clays;
- gravel, shingle, stones;
- bricks and mortar;
- mature bitumen (6 months or older);
- unpainted non-tanalised timber; and
- tree stumps or roots;

that when placed onto and into land will not leach contaminants or render that land or any vegetation grown on that land toxic to vegetation or animals consuming vegetation.

### 1.3 Resource consents

The Trust holds one resource consent the details of which are summarised in the table below. Summaries of the conditions attached to the permit are set out in Section 3 of this report.

A summary of the various consent types issued by the Council is included in Appendix I, as are copies of all permits held by the Company during the period under review.

Table 1 Consent held by Candyman Trust

Consent number	Purpose	Granted	Review	Expires
<i>Land use permits</i>				
10695-1.1	To reclaim part of a man-made pond by the discharge of cleanfill	9 Jan 2019	June 2023	Jun 2038

### 1.4 Monitoring programme

#### 1.4.1 Introduction

Section 35 of the RMA sets obligations upon the Council to gather information, monitor and conduct research on the exercise of resource consents within the Taranaki region. The Council is also required to assess the effects arising from the exercising of these consents and report upon them.

The Council may therefore make and record measurements of physical and chemical parameters, take samples for analysis, carry out surveys and inspections, conduct investigations and seek information from consent holders.

The monitoring programme scheduled for the Trust's site consisted of up to three primary components.

#### 1.4.2 Programme liaison and management

There is generally a significant investment of time and resources by the Council in:

- ongoing liaison with resource consent holders over consent conditions and their interpretation and application;
- discussion over monitoring requirements;
- preparation for any consent reviews, renewals or new consent applications;
- advice on the Council's environmental management strategies and content of regional plans; and
- consultation on associated matters.

### 1.4.3 Site inspections

The Trust's site was visited three times during the monitoring period. With regard to the consent for reclamation involving the discharge of cleanfill, the main points of interest are site operations with potential or actual discharges to receiving watercourses. This includes:

- the timing of the discharges to ensure that discharges are not occurring into ponded water;
- the nature of the material discharged at the site;
- the record keeping;
- ensuring that the activity was occurring within the defined boundary; and
- erosion and sediment control.

Inspections also consider if there are any associated actual and potential emission sources associated with the activity, including potential odour or dust. Sources of data being collected by the Trust were identified and accessed, so that performance in respect of operation, internal monitoring, and supervision could be reviewed by the Council. The neighbourhood was surveyed for environmental effects.

### 1.4.4 Chemical sampling

The monitoring programme included provision for sampling to be undertaken where the pond discharges to the Mangaoraka Stream, and in the Stream upstream and downstream of the discharge if warranted. No sampling was found to be warranted during the year under review.

## 2 Results

### 2.1 Water

#### 2.1.1 Inspections

The site was found to be compliant with consent conditions at the time of the three inspections undertaken during the year under review (15 October 2021, 31 March 2022 and 18 May 2022).

The site was well used during the year under review. On 31 March 2022 it was noted that the filling had reached the permitted extent and at the time of inspection the site was only receiving top soil for site completion works. On 18 May 2022 it was found that the site was clean and tidy. The topsoil had been spread and grass seeded.

#### 2.1.2 Discharge and receiving water monitoring

As outlined in section 1.4.4 there is provision for samples to be obtained from both the discharge and the receiving water upstream (u/s) and downstream (d/s) of the site if this is considered necessary at the time of inspection. The sampling site locations are described in Table 2 and shown in Figure 3.

Visual assessment of the site, discharges and receiving waters at the time of inspection found that sampling was not necessary during the year under review.

Table 2 Location and description of Candyman Trust sampling sites

Site Code	Site description	Co-ordinates (NZTM)
MRK000405	Mangaoraka Stream 25m u/s of (old) Winstone Quarry discharge	E 1700397 N 5676106
IND001019	(Old) Winstone Quarry washwater & stormwater discharge	E 1700418 N 5676101
MRK000407	Mangaoraka Stream 25m d/s (old) Winstone Quarry discharge	E 1700457 N 5676090



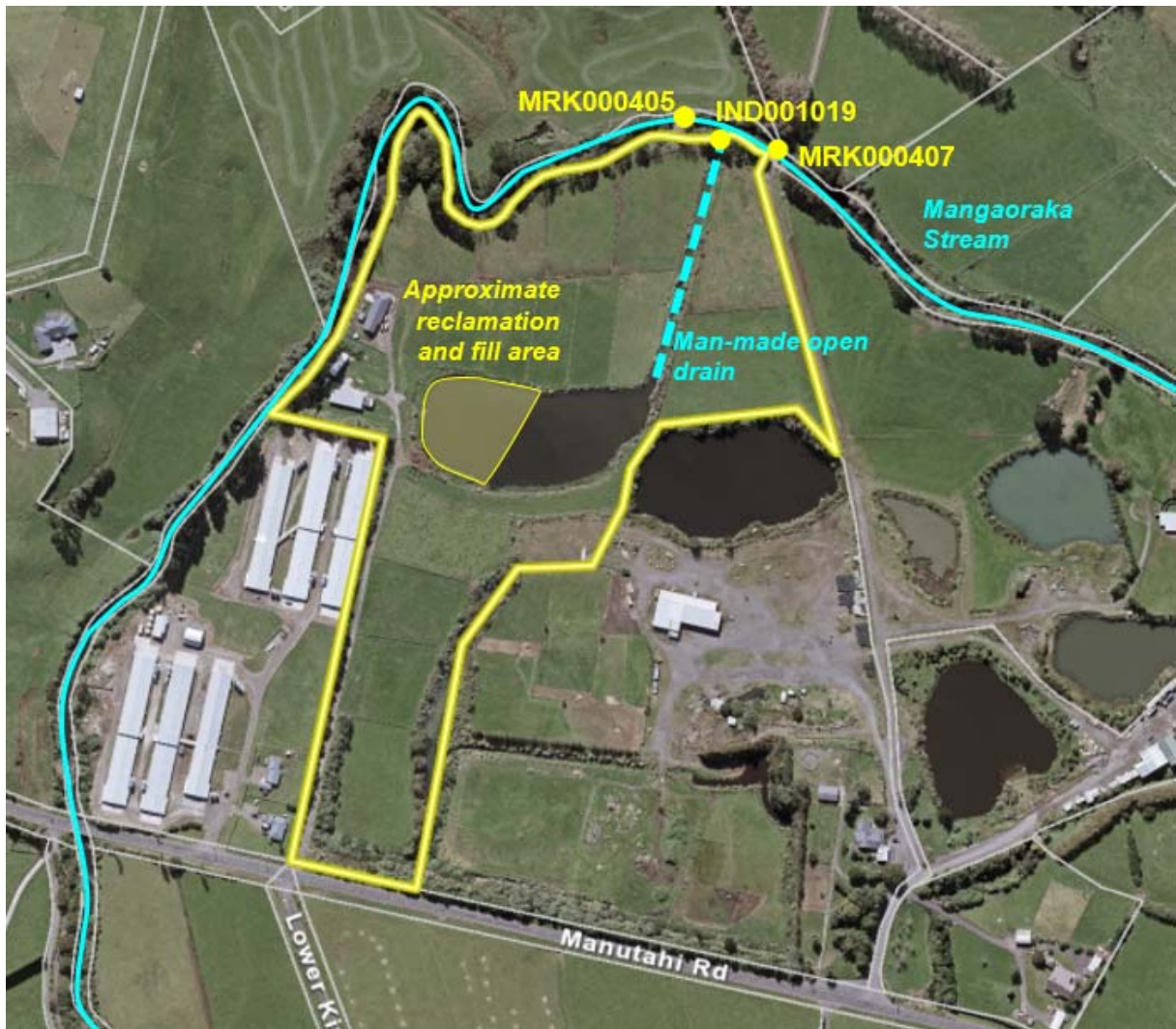


Figure 3 Candyman Trust surface water sampling locations

## 2.2 Incidents, investigations, and interventions

The monitoring programme for the year was based on what was considered to be an appropriate level of monitoring, review of data, and liaison with the Trust. During the year matters may arise which require additional activity by the Council, for example provision of advice and information, or investigation of potential or actual causes of non-compliance or failure to maintain good practices. A pro-active approach, that in the first instance avoids issues occurring, is favoured.

For all significant compliance issues, as well as complaints from the public, the Council maintains a database record. The record includes events where the individual/organisation concerned has itself notified the Council. Details of any investigation and corrective action taken are recorded for non-compliant events.

Complaints may be alleged to be associated with a particular site. If there is potentially an issue of legal liability, the Council must be able to prove by investigation that the identified individual/organisation is indeed the source of the incident (or that the allegation cannot be proven).

In the 2021-2022 period, the Council was not required to undertake significant additional investigations and interventions, or record incidents, in association with the Trust's conditions in their resource consent or provisions in Regional Plans.

## 3 Discussion

### 3.1 Discussion of site performance

The site was well managed during the year under review. There were no unauthorised materials found at the site.

### 3.2 Environmental effects of exercise of consents

No significant adverse effects on the environment were found during the year under review.

### 3.3 Evaluation of performance

A tabular summary of the consent holder's compliance record for the year under review is set out in Table 3.

Table 3 Summary of performance for consent 10695-1.1

<b>Purpose: To reclaim part of a man-made pond by the discharge of cleanfill</b>		
<b>Condition requirement</b>	<b>Means of monitoring during period under review</b>	<b>Compliance achieved?</b>
1. Notification required 7 days prior to recommencement of activity	Notification in Council records	Yes
2. Extent of reclamation area specified. Inflow pipe not to be obstructed	Site inspection	Yes
3. Materials permitted for discharge specified	Site inspection	Yes
4. No discharge of the prohibited materials listed in the consent	Site inspection	Yes
5. Materials from HAIL site prohibited unless confirmed as uncontaminated by Council	Check of site records and observation at site inspection	Yes
6. Specified records to be kept and provided upon request	Records checked at site inspection	Yes
7. Adopt best practicable option, includes undertaking the reclamation when the pond is dry	Site inspection	Yes
8. Site to be stabilised before pond re-fills and on completion	Site inspection	Yes
9. Optional review provision re environmental effects	Next consideration June 2023	N/A

N/A = not applicable

Table 4 Evaluation of environmental performance over time

Year	Consent no	High	Good	Improvement req	Poor
2020-2021	10695-1.1	1	-	-	-
2021-2022		1	-	-	-
Totals		2	0	0	0

During the year, the Trust demonstrated a high level of environmental and a high level of administrative performance with the resource consents as defined in Appendix II.

### 3.4 Recommendations from the 2020-2021 Annual Report

In the 2020-2021 Annual Report, it was recommended:

1. THAT in the first instance, monitoring of consented activities at the Trust's site in the 2021-2022 year be amended from that undertaken in 2020-2021, by increasing the number of inspections to three due to this being a programme covering a full monitoring year.
2. THAT should there be issues with environmental or administrative performance in 2021-2022, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.

### 3.5 Alterations to monitoring programmes for 2022-2023

In designing and implementing the monitoring programmes for air/water discharges in the region, the Council has taken into account:

- the extent of information already made available through monitoring or other means to date;
- its relevance under the RMA;
- the Council's obligations to monitor consented activities and their effects under the RMA;
- the record of administrative and environmental performances of the consent holder; and
- reporting to the regional community.

The Council also takes into account the scope of assessments required at the time of renewal of permits, and the need to maintain a sound understanding of industrial processes within Taranaki exercising resource consents.

There are no changes planned for 2022-2023 monitoring programme.

It should be noted that the proposed programme represents a reasonable and risk-based level of monitoring for the site(s) in question. The Council reserves the right to subsequently adjust the programme from that initially prepared, should the need arise if potential or actual non-compliance is determined at any time during 2022-2023.

### 3.6 Exercise of optional review of consent

Resource consent 10695-1.1 provides for an optional review of the consent in June 2023. Condition 9 allows the Council to review the consent, for the purpose of ensuring that the conditions are adequate to deal with any adverse effects on the environment arising from the exercise of this resource consent, which were either not foreseen at the time the application was considered or which it was not appropriate to deal with at the time.

Based on the results of monitoring in the year under review, and in previous years as set out in earlier annual compliance monitoring reports, it is considered that there are no grounds that require a review to be pursued.

## 4 Recommendations

1. That in the first instance, monitoring of consented activities at the Trust's site in the 2022-2023 year continue at the same level as in 2021-2022.
2. That should there be issues with environmental or administrative performance in 2022-2023, monitoring may be adjusted to reflect any additional investigation or intervention as found necessary.
3. That the option for a review of resource consent 10695-1.1 in June 2023, as set out in condition 9 of the consent, be exercised, on the grounds that that the conditions of the consent are adequate to deal with any adverse effects on the environment.

## Glossary of common terms and abbreviations

The following abbreviations and terms may be used within this report:

HAIL site	Industrial, commercial or other activities where the soil may contain elevated levels of contaminants as a result of that land use. As described in Appendix C: Hazardous Activities and Industries List (HAIL) of the <i>User's Guide: NES for Assessing and Managing Contaminants in Soil to Protect Human Health</i> .
Incident	An event that is alleged or is found to have occurred that may have actual or potential environmental consequences or may involve non-compliance with a consent or rule in a regional plan. Registration of an incident by the Council does not automatically mean such an outcome had actually occurred.
Intervention	Action/s taken by Council to instruct or direct actions be taken to avoid or reduce the likelihood of an incident occurring.
Investigation	Action taken by Council to establish what were the circumstances/events surrounding an incident including any allegations of an incident.
Incident register	The incident register contains a list of events recorded by the Council on the basis that they may have the potential or actual environmental consequences that may represent a breach of a consent or provision in a Regional Plan.
Resource consent	Refer Section 87 of the RMA. Resource consents include land use consents (refer Sections 9 and 13 of the RMA), coastal permits (Sections 12, 14 and 15), water permits (Section 14) and discharge permits (Section 15).
RMA	<i>Resource Management Act 1991</i> and including all subsequent amendments.

## Bibliography and references

- Ministry for the Environment. 2012. *User's Guide: NES for Assessing and Managing Contaminants in Soil to Protect Human Health*. Wellington: Ministry for the Environment.
- Ministry for the Environment. 2018. *Best Practice Guidelines for Compliance, Monitoring and Enforcement under the Resource Management Act 1991*. Wellington: Ministry for the Environment.
- Taranaki Regional Council (2022): *Candyman Trust Monitoring Programme Annual Report 2020-2021*. Technical Report 2021-68.





## Appendix I

# Resource consent held by Candyman Trust

(For a copy of the signed resource consent  
please contact the TRC Consents department)

### Water abstraction permits

Section 14 of the RMA stipulates that no person may take, use, dam or divert any water, unless the activity is expressly allowed for by a resource consent or a rule in a regional plan, or it falls within some particular categories set out in Section 14. Permits authorising the abstraction of water are issued by the Council under Section 87(d) of the RMA.

### Water discharge permits

Section 15(1)(a) of the RMA stipulates that no person may discharge any contaminant into water, unless the activity is expressly allowed for by a resource consent or a rule in a regional plan, or by national regulations. Permits authorising discharges to water are issued by the Council under Section 87(e) of the RMA.

### Air discharge permits

Section 15(1)(c) of the RMA stipulates that no person may discharge any contaminant from any industrial or trade premises into air, unless the activity is expressly allowed for by a resource consent, a rule in a regional plan, or by national regulations. Permits authorising discharges to air are issued by the Council under Section 87(e) of the RMA.

### Discharges of wastes to land

Sections 15(1)(b) and (d) of the RMA stipulate that no person may discharge any contaminant onto land if it may then enter water, or from any industrial or trade premises onto land under any circumstances, unless the activity is expressly allowed for by a resource consent, a rule in a regional plan, or by national regulations. Permits authorising the discharge of wastes to land are issued by the Council under Section 87(e) of the RMA.

### Land use permits

Section 13(1)(a) of the RMA stipulates that no person may in relation to the bed of any lake or river use, erect, reconstruct, place, alter, extend, remove, or demolish any structure or part of any structure in, on, under, or over the bed, unless the activity is expressly allowed for by a resource consent, a rule in a regional plan, or by national regulations. Land use permits are issued by the Council under Section 87(a) of the RMA.

### Coastal permits

Section 12(1)(b) of the RMA stipulates that no person may erect, reconstruct, place, alter, extend, remove, or demolish any structure that is fixed in, on, under, or over any foreshore or seabed, unless the activity is expressly allowed for by a resource consent, a rule in a regional plan, or by national regulations. Coastal permits are issued by the Council under Section 87(c) of the RMA.

**Land Use Consent**  
**Pursuant to the Resource Management Act 1991**  
**a resource consent is hereby granted by the**  
**Taranaki Regional Council**

Name of Consent Holder: Candyman Trust  
(Trustees: Bruce William & Carol Joyce Candy)  
53 Manutahi Road  
RD 2  
New Plymouth 4372

Decision Date 9 January 2019

Commencement Date 9 January 2019

**Conditions of Consent**

Consent Granted: To reclaim part of a man-made pond by the discharge of cleanfill

Expiry Date: 1 June 2038

Review Date(s): June 2019, then every 2 years thereafter

Site Location: 53 Manutahi Road, Tarurutangi

Grid Reference (NZTM) 1700245E-5675907N

Catchment: Waiongana

Tributary: Mangaoraka

*For General, Standard and Special conditions  
pertaining to this consent please see reverse side of this document*

### General condition

- a. The consent holder shall pay to the Taranaki Regional Council all the administration, monitoring and supervision costs of this consent, fixed in accordance with section 36 of the Resource Management Act 1991.

### Special conditions

1. At least 7 working days prior to the recommencement of reclamation work, the consent holder shall notify the Taranaki Regional Council of the proposed start date for the work. Notification shall include the consent number and a brief description of the activity consented and shall be emailed to [worknotification@trc.govt.nz](mailto:worknotification@trc.govt.nz).
2. Reclamation of the pond shall:
  - a) be restricted to the area shaded on the attached plan;
  - b) not result in obstruction of the existing pipe at the southern end of the pond.
3. Subject to condition 5, the material used for reclamation shall be limited to the following inert and uncontaminated materials:
  - sand, soil and clays;
  - gravel, shingle, stones;
  - bricks and mortar;
  - mature bitumen (6 months or older);
  - unpainted non-tanalised timber; and
  - tree stumps or roots;that when placed onto and into land will not leach contaminants or render that land or any vegetation grown on that land toxic to vegetation or animals consuming vegetation.
4. The discharge of the following contaminants shall not occur: food wastes, paper and cardboard, grass clippings, garden wastes including but not limited to wastes containing foliage or other vegetation (other than tree stumps and roots as permitted under condition 3), textiles, steel, galvanised metals, construction materials containing paint or fillers or sealers or their containers, oils or greases or any liquids or sludges or their containers, any industrial process by-products, any poisons or solvents or their containers, batteries, general domestic refuse, or any wastes with the potential to leach contaminants or render land or any vegetation grown on the land toxic to vegetation or to animals consuming such vegetation.
5. No material originating from activities described in Appendix C: Hazardous Activities and Industries List (HAIL) of the *User's Guide: NES for Assessing and Managing Contaminants in Soil to Protect Human Health* or subsequent documents, shall be discharged without confirmation from the Chief Executive, Taranaki Regional Council that the material is uncontaminated.

## Consent 10695-1.1

6. For compliance monitoring purposes, the consent holder shall keep a record of the material discharged at the site. This record shall be maintained and made available to the Chief Executive, Taranaki Regional Council on request. The record kept shall include as a minimum:
  - a description of material received;
  - the source of the material, including the location details;
  - the total volume (or truck loads) of the material;
  - name, address and other contact details of the 'Discharger'; and
  - the date and period of discharge.
7. The consent holder shall at all times adopt the best practicable option or options (as defined in section 2 of the Resource Management Act 1991) to prevent or minimise any actual or potential effect on the environment arising from any discharge at the site. For the purpose of this consent condition, the best practicable option includes undertaking the reclamation when the pond is dry.
8. The site shall be stabilised and re-vegetated:
  - a) at the end of each summer period, before the pond starts to fill back up with water; and
  - b) upon final completion of the reclamation.
9. In accordance with section 128 and section 129 of the Resource Management Act 1991, the Taranaki Regional Council may serve notice of its intention to review, amend, delete or add to the conditions of this resource consent by giving notice of review during the month of June 2019, then every 2 years thereafter, for the purpose of ensuring that the conditions are adequate to deal with any adverse effects on the environment arising from the exercise of this resource consent, which were either not foreseen at the time the application was considered or which it was not appropriate to deal with at the time.

Signed at Stratford on 9 January 2019

For and on behalf of  
Taranaki Regional Council

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A D McLay  
**Director - Resource Management**

**Reclamation area**



## Appendix II

Categories used to evaluate environmental and administrative performance

## Categories used to evaluate environmental and administrative performance

Environmental performance is concerned with actual or likely effects on the receiving environment from the activities during the monitoring year. Administrative performance is concerned with the Company's approach to demonstrating consent compliance in site operations and management including the timely provision of information to Council (such as contingency plans and water take data) in accordance with consent conditions.

Events that were beyond the control of the consent holder and unforeseeable (that is a defence under the provisions of the RMA can be established) may be excluded with regard to the performance rating applied. For example loss of data due to a flood destroying deployed field equipment.

The categories used by the Council for this monitoring period, and their interpretation, are as follows:

### Environmental Performance

**High:** No or inconsequential (short-term duration, less than minor in severity) breaches of consent or regional plan parameters resulting from the activity; no adverse effects of significance noted or likely in the receiving environment. The Council did not record any verified unauthorised incidents involving environmental impacts and was not obliged to issue any abatement notices or infringement notices in relation to such impacts.

**Good:** Likely or actual adverse effects of activities on the receiving environment were negligible or minor at most. There were some such issues noted during monitoring, from self-reports, or during investigations of incidents reported to the Council by a third party but these items were not critical, and follow-up inspections showed they have been dealt with. These minor issues were resolved positively, co-operatively, and quickly. The Council was not obliged to issue any abatement notices or infringement notices in relation to the minor non-compliant effects; however abatement notices may have been issued to mitigate an identified potential for an environmental effect to occur.

For example:

- High suspended solid values recorded in discharge samples, however the discharge was to land or to receiving waters that were in high flow at the time;
- Strong odour beyond boundary but no residential properties or other recipient nearby.

**Improvement required:** Likely or actual adverse effects of activities on the receiving environment were more than minor, but not substantial. There were some issues noted during monitoring, from self-reports, or during investigations of incidents reported to the Council by a third party. Cumulative adverse effects of a persistent minor non-compliant activity could elevate a minor issue to this level. Abatement notices and infringement notices may have been issued in respect of effects.

**Poor:** Likely or actual adverse effects of activities on the receiving environment were significant. There were some items noted during monitoring, from self-reports, or during investigations of incidents reported to the Council by a third party. Cumulative adverse effects of a persistent moderate non-compliant activity could elevate an 'improvement required' issue to this level. Typically there were grounds for either a prosecution or an infringement notice in respect of effects.

### Administrative performance

**High:** The administrative requirements of the resource consents were met, or any failure to do this had trivial consequences and were addressed promptly and co-operatively.

**Good:** Perhaps some administrative requirements of the resource consents were not met at a particular time, however this was addressed without repeated interventions from the Council staff. Alternatively



adequate reason was provided for matters such as the no or late provision of information, interpretation of 'best practical option' for avoiding potential effects, etc.

**Improvement required:** Repeated interventions to meet the administrative requirements of the resource consents were made by Council staff. These matters took some time to resolve, or remained unresolved at the end of the period under review. The Council may have issued an abatement notice to attain compliance.

**Poor:** Material failings to meet the administrative requirements of the resource consents. Significant intervention by the Council was required. Typically there were grounds for an infringement notice.